Profiteering cases detected by MRTP Commission

1698. SHRI RAJNI RANJAN SAHU:
SHRI H. HANUMANTHAPPA:
CHOWDHARY RAM SEWAK:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that no case of profiteering has been detected by the MRTP Commission during the past one decade;

(b) what are the details of cases detected during the last three years and what action has been taken against each;

(c) what is the present status of each;

(d) whether his attention has been drawn to the news item appeared in *Economic Times* and *Business Standard* relating to high profiteering by cement manufacturers;

(e) whether it is a fact that the manufacturers jacked up the prices without inviting investigation from the commission;

(f) if so, the extent of price increase; and

(g) what are the details in this regard and what steps have been taken to discipline the producers?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): (a) to (c) The word "profiteering" has as such not been defined in the MRTP Act, 1969. However, under Section 2(i)(V) of the MRTP Act, a monopolistic trade practice has been defined to include *inter alia* all trade practices which have or are likely to have the effect of increasing unreasonably the prices or charges on which goods/services are or may, be sold or re-sold, or the profits which are, or may be, derived by the production supply or distribution of any goods and services. In terms of Section 31 and Section 37(4) of the MRTP Act, the Commission is required to submit a report to the Central Govt. for its consideration and final decision in case a company/firm etc. appears *prima facie* to have indulged in monopolistic trade practice. During the last one decade, however, the Commission has not submitted any report to the Central Government under Section 31 and Section 37(4) of the Act. The MRTP Commission have, therefore, informed that they have no details to furnish in this regard.

(d) Yes, Sir.

(e) The MRTP Commission on the basis of an application filed by the Director General Investigation and Registration (DGI & R) has instituted an inquiry against the Cement Manufacturers' Association, Bombay and 44 others for their manipulating the prices of cement so as to impose unjustified costs on the consumers fixing retail prices through cartelization thereby indulging in a restrictive trade practice as defined in the Act. The enquiry is to come up before the

Commission on 3rd Sept., 1992 for evidence.

(f) and (g) The Deptt. of Industrial Development which is the administrative Ministry concerned with the Cement industry have informed that there was a decline in cement prices during the months of November and December, 1991. Large scale movement of cement from the Southern to Northern region also helped in keeping the prices at a reasonable level. However, from the first week of January to the first week of February, there has been a rise in cement prices particularly in the northern region. As compared with the prices prevailing on 2nd January, 1992 in the northern region, prices have increased from Rs. 3/- (Jaipur) to Rs. 23|- per bag (Lucknow). During this period, there has been a decline in the cement prices in the eastern region varying from Rs. 5|- to Rs. 7|- per bag. Prices in the southern region have remained constant as also in the western region apart from the areas around Pune/Surat. With a view to contain cement prices the strategy of the Govt. has been on maximising cement production as also minimising the regional imbalances in its availability. For this, infrastructural support to the industry particularly in respect of availability of coal, power and rail wagons is being closely monitored and remedial action taken wherever necessary.

Free Legal aid in Madhya Pradesh

1699. SHRI SURESH PACHOURI: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Government have decided to give free legal advice and assistance to families with an annual income upto Rs. 12,000/- in the State of Madhya Pradesh;

(b) if so, what are the details thereof; and

(c) by when the scheme is likely to start in Madhya Pradesh?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) to (c) Madhya Pradesh Legal Aid & Advice Board has passed a Resolution on 29th January, 1992 raising the income ceiling for admissibility of free legal advice and assistance to families with an annual income upto Rs. 12,000/- in the State of Madhya Pradesh. The Board has approached the State Government for amendment of the relevant provisions of the Madhya Pradesh Samaj Ke Kamjor Vargon Ke Liye Vidhik Sahayata Tatha Vidhik Salah Adhiniyam, 1976. The enhanced income ceiling would be operative only after the proposal submitted by the Madhya Pradesh Legal Aid and Advice Board is approved by the State Government and the relevant provisions of the Act are amended by the State Legislature.

Use of electronic machine in elections

1700. SHRI SHIV PRATAP MISHRA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether electronic voting machines were used in Bombay Municipal Corporation elections in second week of Feb., 1992;

(b) whether Government propose to use these machines in Lok Sabha and Assembly elections also; and

(c) if so, the details of the proposals?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) Information is being collected and will be laid on the Table of the House.

(b) Yes, Sir.

(c) To facilitate the use of Electronic voting Machines in Lok Sabha